

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**GEORGE FOREMAN JR.**

7562 Secor Rd  
Lambertville, MI 48144

\* Case No.

\* Judge

Plaintiff, \* **COMPLAINT; JURY DEMAND  
ENDORSED HEREON**

\*

v.  
**EASTMAN SCHWARTZ  
BUILDING LLC.**  
7744 Little Rd  
Sylvania, Ohio 43560

Francis J. Landry (0006072)

\* Katherine A. Pawlak Macek (0086885)

**WASSERMAN, BRYAN, LANDRY**

**& HONOLD LLP**

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Attorneys for Plaintiff

George Foreman Jr.

Defendant. \*

\* \* \* \* \* \* \* \*

**JURISDICTION**

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Section 1332, 1337, 1343, 2201 and 2202 known as this Court's diversity of citizenship jurisdiction. This action, in part, is one for money damages, reinstatement, and liquidated damages resulting from an alleged unlawful discrimination in employment in violation of the Ohio Revised Code Section 4123.90. The matters in controversy in this action exceed the sum of \$75,000.00 exclusive of costs and interest.

## **PARTIES**

2. Plaintiff, George Foreman Jr., is a citizen of the United States and a resident of Lambertville, MI who was employed by Defendant from January of 2022 until his termination on or around June 21, 2022.
3. Defendant is a limited liability company duly organized under the laws of the state of Ohio, with a place of business in the County of Lucas, State of Ohio. Upon information and belief, the members of Defendant are all Ohio residents.

## **GENERAL ALLEGATIONS**

4. Plaintiff brings this action for damages for an unlawful termination of his employment. Plaintiff alleges that in terminating him, the Defendant did so in violation of Ohio Revised Code Section 4123.90
5. Plaintiff was employed by Defendant as a full time crew foreman. Plaintiff was well qualified for his position and performed his job well.
6. In May of 2022, while employed with Defendant, while at work, Plaintiff was injured. A board gave way and Plaintiff fell on the concrete. Plaintiff suffered a compression of the thoracic vertebra, a thoracic back sprain, and foot sprains.
7. When Plaintiff was at the emergency room for treatment, he called Defendant's agent, Amos Schwartz, to ask what he should do.
8. Plaintiff was informed that Mr. Schwartz, as agent for Defendant, would rather Plaintiff did not turn in a workers compensation claim.
9. Plaintiff filed a workers' compensation claim, claim number 22-145096.
10. Plaintiff was terminated on or around June 21, 2022.

## **CLAIM FOR RELIEF**

### **Ohio Revised Code Section 4123.90—Worker’s Compensation Retaliation**

11. Plaintiff incorporates each and every allegation contained in paragraphs one (1) through ten (10) of this complaint, *supra*, by reference in its entirety as if fully restated herein.

12. Plaintiff states that as the result of an injury he filed a workers compensation claim.

13. Plaintiff was then terminated on or around June 21, 2022. At the time of and prior to his termination, Plaintiff was meeting and exceeding all of Defendant’s legitimate expectations, and had been told he was a great employee.

14. Plaintiff states that Defendant terminated Plaintiff because Plaintiff filed and participated in a workers compensation claim, in violation of Ohio Revised Code Section 4123.90.

15. By letter dated July 21, 2022, Plaintiff notified Defendant of the claimed violation of Ohio Revised Code Section 4123.90.

16. As a proximate result of the acts of the Defendant complained of herein, Plaintiff has suffered the loss of past and future wages. Plaintiff also has lost past and future benefits. Plaintiff has also suffered, as a proximate result of the acts of Defendant complained of herein, pain and suffering, humiliation and embarrassment. Plaintiff has also been forced to expend litigation expenses and attorney’s fees.

**WHEREFORE**, Plaintiff demands a judgment ordering reinstatement to his position and back wages, or in the alternative, back wages and front wages, and judgment against Defendant for compensatory and punitive damages for emotional distress, anxiety, humiliation and embarrassment in an amount in excess of \$75,000 plus his costs, interest and reasonable attorney fees. Plaintiff also seeks an amount of liquidated damages equal to his damages and his costs and

attorney fees all together with prejudgment and post judgment interest. Plaintiff further prays for whatever other legal or equitable relief he may appear to be entitled to.

Respectfully submitted,

**WASSERMAN, BRYAN, LANDRY & HONOLD, LLP**

/s/ Francis J. Landry

Francis J. Landry, Attorney for  
Plaintiff, George Foreman Jr.

**JURY DEMAND**

Plaintiff demands a jury trial as to all issues so triable in the within cause.

/s/ Francis J. Landry  
Francis J. Landry